

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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DAVID ULLMAN and PAMELA ULLMAN,  
Individually and in capacity as the parent and  
legal guardians of Rebecca Ullman, Jessalyn  
Ullman, and Danielle Ullman, minor children,  
and REBECCA ULLMAN, JESSALYN ULLMAN,  
and DANIELLE ULLMAN;

Plaintiffs,

-v-

5:02-CV-1432

CANAJOHARIE CENTRAL SCHOOL DISTRICT;  
MARGARET GAYDUSEK, individually and as an  
employee of the Canajoharie Central School District;  
EDWARD GAYDUSEK; individually and as an  
employee of the Canajoharie Central School District;  
RICHARD ROSE, individually and as an employee  
of the Canajoharie Central School District; DONALD  
BOWDEN, individually and in his capacity as High  
School Principal of the Canajoharie Central School  
District; BARBARA WARDLE, individually and in her  
capacity as Middle School Principal of the Canajoharie  
Central School District; ASHLEY LANE, NICHOLAS  
SITTERLY; STACEY TYLEE; FELICITY WELLS; and  
BOARD OF EDUCATION OF THE CANAJOHARIE  
CENTRAL SCHOOL DISTRICT;

Defendants.

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APPEARANCES:

OF COUNSEL:

KERNAN & KERNAN P.C.  
Attorneys for Plaintiffs  
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KEVIN G. MARTIN, ESQ.

THE LAW FIRM OF FRANK W. MILLER  
Attorneys for Canajoharie School Defendants  
6296 Fly Road  
East Syracuse, NY 13057

FRANK W. MILLER, ESQ.

DAVID N. HURD  
United States District Judge

**ORDER**

Pursuant to the oral decision of the Court, entered into the record after hearing oral argument on June 10, 2005, in Utica, New York, it is hereby

ORDERED that

1. Defendants' motion for summary judgment with regard to plaintiffs' federal claims is GRANTED;

2. Supplemental jurisdiction over plaintiffs' state law claims is DECLINED;

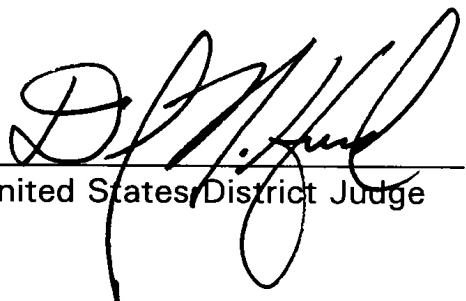
3. Plaintiffs' federal claims are DISMISSED with prejudice;

4. Plaintiffs' state law claims are DISMISSED without prejudice; and

5. The complaint is DISMISSED in its entirety.

The Clerk of Court is directed to enter judgment accordingly.

IT IS SO ORDERED.

  
United States District Judge

Dated: June 10, 2005  
Utica, New York.